

PROB 12C  
(7/93)

## UNITED STATES DISTRICT COURT

FILED

DEC 14 2016

CLERK, U.S. DISTRICT CLERK  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]*

DEPUTY

for

WESTERN DISTRICT OF TEXAS

**Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: Omar Rico-Ramirez Case Number: DR-16-CR-00260 (01)Name of Sentencing Judicial Officer: Honorable Ivan L.R. Lemelle, Senior United States District JudgeDate of Original Sentence: October 12, 2016Original Offense: 8 U.S.C. § 1326 – Illegal Re-Entry Into the United StatesOriginal Sentence: Time Served (8 months and 7 days) imprisonment and 3 years of supervised releaseType of Supervision: Supervised release Date Supervision Commenced: October 12, 2016Assistant U.S. Attorney: Amy Marie Hail Defense Attorney: Christina M. Norton**PREVIOUS COURT ACTION**

None.

**PETITIONING THE COURT**

- The issuance of a warrant  
 The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**      **Nature of Noncompliance**

1. Mandatory Condition No. 1. The defendant shall not commit another federal, state, or local crime during the term of supervision.
2. Standard Condition No. 19. If the defendant is excluded, deported, or removed upon release on probation or supervised release, the term of supervision shall be a non-reporting term of probation or supervised release. The defendant shall not illegally re-enter the United States. If the defendant lawfully reenters the United States during the term of probation or supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office.

On November 10, 2016, Omar Rico-Ramirez, an alien and citizen of Mexico, was found in the United States having been previously denied admission, excluded, deported or removed from the United States on or about October 13, 2016, and the offender had not received the consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, the successor for this function pursuant to 6 U.S.C. §§ 202(3), 202(4), & 557, to reapply for admission, being voluntarily in the United States in violation of 8 U.S.C. § 1326(a) & (b).

On November 10, 2016, United States Border Patrol agents encountered the offender in Hebbronville, Texas. During questioning, the offender was identified as a citizen of Mexico, illegally present in the United States. He was arrested and transported to the Hebbronville Border Patrol Station for processing. On November 11, 2016, a criminal complaint was filed in the United States District Court, in the Southern District of Texas, Laredo Division, under Docket No. 5-16-mj-01512-1. The offender is in custody, and the case remains pending.

U.S. Probation Officer Recommendation:

The term of supervision should be

- revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- extended for \_\_\_\_\_ years for a total term of \_\_\_\_\_ years
- The conditions of supervision should be modified as follows:

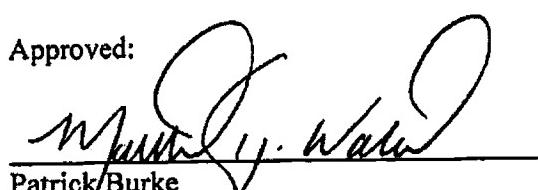
Approved:

  
David R. Mercier  
Supervising U.S. Probation Officer

Respectfully Submitted,

  
Andrew J. Gonzales  
Senior U.S. Probation Officer,  
Date: November 29, 2016  
Telephone #: 830-703-2089, ext. 6135

Approved:

  
Patrick Burke  
Assistant U.S. Attorney

cc: Victor Calderon  
Assistant Deputy Chief U.S. Probation Officer

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**THE COURT ORDERS:**

- No action.
- The issuance of a **WARRANT**. Bond is set in the amount of \$Defair cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- The issuance of a **SUMMONS**.
- Other \_\_\_\_\_
- 

*Ivan L.R. Lemel*

Honorable Ivan L.R. Lemel  
Senior U.S. District Judge

*12-8-16*

Date